



MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen
Chair

Kenita V. Barrow
Vice Chair

May 2, 2018

Waiver 18-04-008

Pursuant to § 19A-12(b)(1)(A) of the Public Ethics Law, a public employee must not be employed by a business that is regulated by the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Anthony Lewis is a Transit Operations Supervisor at the Division of Transit Services at the Montgomery County Department of Transportation (MCDOT). He would like to engage in outside employment as a shuttle bus driver at RMA Worldwide Chauffeured Transportation (RMA Worldwide), an entity that is regulated by MCDOT.

Additionally, RMA Worldwide has a contract with the Bethesda Urban Partnership (BUP) to operate the Bethesda Circulator shuttle, an enterprise that may be partially or wholly funded by County grants.

In his County position, Mr. Lewis is a supervisor for County Ride-On bus operators, and he manages payroll, handles employee development and discipline, monitors FMLA and directs employees to EAP resources. He also addresses customer complaints and safety issues. As a driver for RMA Worldwide, he will be driving a shuttle in Northern Virginia related to a contract between RMA Worldwide and Capital One Bank. There is the possibility of Mr. Lewis being asked to operate a shuttle in Washington DC in connection with a contract between RMA Worldwide and George Washington University when that contract begins in June 2018. However, neither proposed role would have Mr. Lewis operating a shuttle within Montgomery County, Maryland at any time. And his position with RMA Worldwide will be funded by contracts wholly unrelated to Montgomery County Government funding that RMA Worldwide may indirectly receive through its contract with BUP.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

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The waiver is conditioned on Mr. Lewis not working in his County capacity on matters involving any County contracts involving RMA Worldwide and on his not representing RMA Worldwide in any potential contractual dealings with MCDOT.

This waiver expires when the outside employment approval with which it is associated expires, unless a continuation request for outside employment is timely filed and subsequently approved by the Ethics Commission.

In reaching this decision, the Commission has relied upon the facts as presented by Mr. Lewis.

For the Commission:



Steven Rosen, Chair